

Application No. 10/720,370  
Amendment Dated November 23, 2005  
Reply to Office Action of August 29, 2005

### **REMARKS**

The Office Action dated August 29, 2005, has been carefully considered by Applicant. Reconsideration is respectfully requested in view of the foregoing claim amendments and the remarks that follow.

#### **Allowable Subject Matter**

Claims 38 and 39 are indicated as allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. By the present Amendment, claim 38 has been rewritten in independent form and is therefore in condition for allowance. Claim 39 depends from claim 38 and is also in condition for allowance.

#### **Claim Rejections Under 35 U.S.C. §112**

Claims 3, 5, 24 and 30-39 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. By the present Amendment, the claims have been amended to adhere to U.S. format and to overcome the claim rejections under §112. In addition, claims 30-32 are cancelled, thereby rendering the rejections regarding these claims moot.

#### **Claim Rejections Under 35 U.S.C. §102 and §103**

Claims 1-18, 21-23, 25, 28-34, 36 and 37 have been rejected under 35 U.S.C. §102(b) as being anticipated by Passone U.S. Patent No. 5,107,624. Claims 19, 20, 26 and 27 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Passone '624.

By the present Amendment, claims 1, 7, 12, 16-18 and 30-32 are cancelled, thus rendering the rejections regarding these claims moot. New independent claims 40, 41, and 42 are added to replace claims 1, 32, and 30, respectively. Dependent claim 43 is also added and replaces cancelled claim 31.

Claim 40

Claim 40 recites a profiled frame arranged as a door window frame of a motor vehicle door or lid. The profiled frame comprises a hollow profile and an additional profile that are each manufactured as a roll-formed profile from metal flat strip material. The Examiner is correct that Passone '624 teaches a profiled frame with a hollow profile and an additional profile connected to the hollow profile. However, Passone '624 fails to teach or suggest profiles that are manufactured by roll forming. In fact, it is only disclosed that the additional profile is produced by profiling (column 3, lines 40-41), and that the hollow profile constitutes two elements. One of these elements (10) is blanked and afterwards bent in three dimensions (column 2, lines 50-56). The other element (12) of the hollow profile is pressed and then bent (column 2, lines 54-55). It is not disclosed that the manufacturing of the hollow profile by roll forming could be an alternative in this special application.

Claim 40 further recites that the length of the hollow profile and the length of the additional profile differ from each other in such a way that the hollow profile features a considerable excess at at least one end for anchoring the profiled frame below the parapet line in a door box of the motor vehicle door or lid. Passone '624 fails to teach or suggest different lengths of the hollow profile and the additional profile. This is especially apparent from Figures 1 and 4 of the Passone '624 reference. In Fig. 1, on the right-hand side, the projection ends on the parapet line (dashed line in the attached marked-up figure). One skilled in the art would extract from Fig. 4 that the face plate of the internal cavity 21, not the additional profile, forms the projection. There is no disclosure of a shorter length of the additional profile.

In contrast, the present invention teaches different lengths of the hollow profile and the additional profile for an easy anchoring of the profiled frame in a door box of the motor vehicle door or lid. The length of the additional profile is dimensioned such that it extends substantially over the full length of the hollow profile to guarantee a high resistivity of the profiled frame. Thereby, the excess of the hollow profile is used to fix

the profiled frame on the hinge bracket in the door box. Since the additional profile has a shorter length, a reduction in weight is possible without weakening the profiled frame where its stiffness is required.

As a result of the above-noted distinctions, claim 40 is believed allowable over the applied references. Such action is respectfully requested.

Claims 2-6, 8-11, 13-15 and 19-29

Claims 2-6, 8-11, 13-15 and 19-29 depend directly or indirectly from claim 40 and are thus believed allowable for the reasons stated above, as well as the subject matter recited therein.

Claim 41

Claim 41 has been added and recites a method for manufacturing a profiled frame as a door window frame of a motor vehicle door or lid. Among other things, claim 41 recites the steps of manufacturing a hollow profile from flat strip material by roll forming and subsequently permanently and rigidly connecting an additional profile with the hollow profile in such a way that the additional profile extends substantially over the full length of the hollow profile, but the hollow profile features a considerable excess at at least one end for anchoring the profiled frame below the parapet line in a door box of the motor vehicle door or lid.

With reference to the comments provided above regarding claim 40, claim 41 is believed allowable for the applied references because the method steps described above are neither taught nor suggested by Passone '624.

As such, claim 41 is believed allowable for the reasons stated above. Such action is respectfully requested.

Claims 33-35 and 37

Claims 33-35 and 37 depend directly or indirectly from claim 41 and are thus believed allowable for the reasons stated above, as well as the subject matter recited therein.

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New Claim 42

New claim 42 has been added to replace the subject matter of claims 30 and 31. Claim 42 recites a motor vehicle door that, among other things, comprises a hollow profile and additional profile that are roll-formed and that are permanently and rigidly connected to each other. The length of the hollow profile and the additional profile differ from each other in such a way that the hollow profile features a considerable excess at at least one end for anchoring the profiled frame below the parapet line in a door box of the motor vehicle door or lid. This arrangement is neither taught nor suggested by the cited reference, as discussed above regarding claim 40.

Claim 42 is thus believed allowable for the reasons stated above. Such action is respectfully requested.

Claim 43

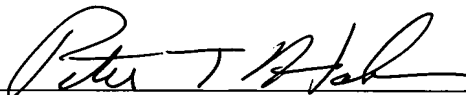
Claim 43 depends directly from claim 42 and is thus believed allowable for the reasons stated above, as well as the subject matter recited therein.

Conclusion

The present Application is thus believed in condition for allowance. Such action is respectfully requested.

Respectfully submitted,

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